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GEORGE PEIRCE ANDREWS

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George P. Andrews,

Prepared by
CATHERINE M. ANDREWS

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DEMPSEY & CARROLL
NEW YORK

GEORGE PEIRCE ANDREWS was a descendant in the ninth generation of an unbroken line of New England ancestors and was born at North Bridgeton, Maine, the twenty-ninth day of September 1835, and passed away at the City of New York on the twenty-fourth day of May 1902, in his sixty-seventh year. His father was Colonel Solomon Andrews of Fryeburg, Maine, and his mother Sybil Ann Farnsworth of Bridgeton, Maine. The founder of this family was Captain Robert Andrews, who came to this country in 1635 as owner and master of the ship "Angel Gabriel," and settled in Ipswich, Massachusetts. His great-grandfather, Captain Abraham Andrews, was one of the Minute-men at the battle of Lexington.

Mr. Andrew's first instruction was in a pri-

vate school in his birthplace and the public school in St. Johnsbury, Vermont, to which place his parents removed. He entered Wiliston Seminary, East Hampton, Massachusetts, at fifteen years of age and there prepared for Yale University, entering in the fall of 1854 and was graduated with the class of 1858, securing the highly prized honor of class orator. After his graduation he went to Portland, Maine, and began the study of the Law in the office of United States Senator William Pitt Fessenden, subsequently Treasurer of the United States. In 1858 he went to Carroll Parish, Louisiana, as tutor in an old Southern family, continuing while there the reading of the text-books of his chosen profession. In 1860 he came to New York City and renewed his studies with Henry P. Fessenden, a relative of the Senator. Shortly thereafter he secured a clerkship in the office of the United States District Attorney for the Southern District of

New York under Judge James A. Roosevelt, and then began his useful public life, in which he continued for the remainder of his days. He advanced himself in this office, meanwhile keeping up his law studies, and was admitted to practice law at the bar of this State in May 1860. When E. Delafield Smith was appointed United States District Attorney by President Lincoln in 1861, he found Mr. Andrews master of all the matters assigned him and of the growing details of that busy office during the Civil War. Mr. Andrews was soon made a full Assistant United States District Attorney, which position he held under the various changes in that office until 1869, when he resigned to take up the private practice of the law. It was then he met his most important client and fast friend, Commodore Cornelius K. Garrison, being retained by him in the heavy litigations of the United States Brazilian Steamship Company and other cor-

porations of which the Commodore was president. Mr. Andrews soon took up again the duties of public office in accepting, in December 1872, the appointment of First Assistant Corporation Counsel to the City of New York, which he held until 1882, when Mayor Grace made him Corporation Counsel. In 1883 he was nominated by the United Democratic factions in this City as Justice of the Supreme Court of the State of New York and was elected by a large plurality. He served as Judge the full term of fourteen years, when he was renominated by the Republican Party and Citizen's Union, but that ticket was not successful. The following year he was re-nominated by the Democratic Party and elected to the Supreme Court for a second term.

As Corporation Counsel and Judge, he was recognized as a high authority on municipal and corporation law, and in equity cases. He presided in all branches of our Supreme Court,

including the criminal. His opinions on complicated questions arising under the tax laws, were of exceptional value and seldom reversed. As Corporation Counsel, he personally directed through all the Courts, the heavy and difficult litigation for the recovery of unpaid back taxes, on behalf of the City against National Banks and monied corporations, resulting in final decisions which brought to the City's treasury more than three millions of dollars, and established the law under which they have since paid much more. As a Judge, he was a firm believer in trial by jury, often saying they came as near being right and fair as was possible under our present social system. In an able opinion given in 1897, he declared the part of the liquor tax law to be unconstitutional that denied the right of trial by jury.

It was solely through merit that Judge Andrews was promoted to the various offices he held, and never through political influence. He

seemed to step into the offices as though they were created and waiting for him. He always thought it dangerous for a lawyer to get away from his law books, and looked forward to the time when he could pass his later days in liberal study, as he had a great appreciation of the merits of literature, especially the French.

He was extremely cautious and reticent even among his intimate friends, and never talked for the sake of talking. Thoughtful and reserved, but very genial in a quiet way, and full of devotion to those he loved. He was a hard and constant worker, conscientious, painstaking and accurate. His class oration was a strong paper, giving his early views on the depressing influence of intellectual authority over men's minds and the need of independent thought for every one, thus expounding at that time the thought of the majority of the educated men of this day. Looking back over his life, one is impressed to observe how truly

it presented an example of his original cast of mind as set forth in his class oration. Although his life was spent in propounding and enforcing the administration of the law, he never abandoned his belief in the need of independent thought.

Judge Andrews' reflecting powers of mind were so great that he grasped the substance of a thing by direct force. His style was direct and cogent, never wasting time on unimportant matters, and he was a master of the art of clearly presenting facts and the law applicable. He contented himself with practical results. His diction was simple and clear and his mode of expression concise. He was a loyal friend, clinging to the associates of his early life until the end. He had a strong temper, but even under most trying circumstances rarely showed it, and always maintained that "he who judges between the imperfections of men should show as little as possible the imperfections in him-

self." No Judge on our Bench was more courteous and kind to the bar, especially to its younger members. He was not a politician, but was always a Democrat of the most unflinching type.

He had remained a bachelor until 1889, when he married Catherine M. Van Auken, the daughter of his old client, Commodore Garrison, whom he had met in New Haven during his early college days, where she attended the private school of Miss Dutton, known as Grove Hall. Mrs. Andrews survives him. He had no children. Although he was one of a family of four, his sister, Mrs. Ellen Decker of Concord, Massachusetts, and her son, William N. Decker, a physician, alone survive. He was an early member of the Union League Club, a member of the Manhattan, Metropolitan and New York Yacht Clubs, the Scroll and Keys Society of Yale and the fraternity of Delta Kappa Epsilon.

His happiest days were those spent with his wife and her children and grandchildren at

their summer home at New London, Connecticut where he found rest and diversion in the life of a country gentleman.

Judge Andrews enjoyed perfect health until early in May 1902, when he was stricken with apoplexy, followed by another stroke from the effects of which he did not recover. Pneumonia followed, taking him away on May twenty-fourth, 1902. He added to our long list of deceased Judges, a life too early extinguished by the exacting conditions which surround the Judiciary in their arduous work.

In accordance with his wishes his remains were cremated, and his ashes deposited in the Garrison Mausoleum in Greenwood Cemetery, the tomb of his wife's family.

It can truly be said of him,

“ He was the most humane of judges and
most judicial of men,”

and leaves a name, a life, and a record unsullied, and one that will ever have a place of honor in the history of this great City.



Judge Andrews was singularly identified with the stirring and serious events of the Civil War, he being then First Assistant United States District Attorney for the Southern District of the State of New York in the City of New York, and prepared and successfully prosecuted many of the difficult "Prize" and

“ Confiscation ” cases on behalf of the General Government at Washington. To him as such Assistant United States District Attorney and when quite a young man, is due the credit of the conviction and execution of Captain Nathaniel Gordon for the crime of carrying on the slave trade on the high Seas.

In the summer of 1860 Captain Gordon partly fitted out his ship “ Erie ” in New York City for the slave trade which he completed at Havana, Cuba, from whence he set sail for the Congo River in July 1860, arriving there August of that year. On the seventh day of August 1860, he brought on board Eight hundred and ninety slaves, of whom one hundred and seventy-two were men, one hundred and six women, and six hundred and twelve boys and girls. He set sail that night for the United States and when off the Coast of Africa the next morning was captured by the United States warship “ Mohican.” The

slaves were taken to Liberia and landed, while Gordon and his ship were sent to New York. The ship was condemned and sold in October 1860, and Gordon was put on trial for his life, under the Federal law of 1820, which made this business an act of piracy with the death penalty. The jury disagreed on the first trial. To Mr. Andrews was assigned the duty of preparing the evidence and prosecuting the case. Gordon's defense was that he was not the owner or master of the "Erie," but only a passenger. He had taken the precaution of hiring a foreigner to pose as master of the ship. To prove his case, Mr. Andrews personally sought the members of the crew of the "Erie" in the seaport towns of Maine where he heard they had been seen. Strange, that this duty should call him to the State of his birth, the State of Gordon's birth, and the State in which Mr. Andrews commenced his law studies! After a tedious and careful search, Mr. Andrews

found the crew and induced them to go to New York and testify. This was a difficult task, as they were also liable to prosecution. The second trial was held before Judge Nelson in the old United States Court-House-building then in Chambers St., on the sixth day of November 1861. Gordon was ably defended by Ex-Judge Dean and R. J. Joachimson, who were experienced in those cases, as no slave trader had ever been before convicted. The trial lasted two days and the jury gave their verdict of "Guilty," in the evening of the eighth day of November 1861.

Gordon was unmoved. Motions for a new trial were made and denied, and on the thirtieth day of November 1861, Gordon was sentenced by Judge Nelson to be hanged on the seventh day of February 1862. He procured a respite for two weeks. Nothing was left undone to save Gordon, even to threats to rescue him through mob force, which were

ominous, for on his last day on this earth, mobs were actually hanging innocent negroes to the lamp-posts in New York City. A guard of United States Marines was stationed in the prison-yard of the old Tombs on the twenty-first day of February 1862 with loaded muskets. Gordon sought to end his own life with a dose of strychnine, which he took in the early morning of the twenty-first, and shouted to his guards, "I've cheated you, I've cheated you!" He was mistaken, as the prison physician saved him, and he was hanged at noon on the twenty-first day of February 1862.

It is generally conceded that this execution of Captain Gordon, who was foremost in that nefarious business, put an end to the slave trade in this country, which had continued for over three hundred years, and for at least forty-two years after Congress had forbidden it. Thousands of slaves had suffered tortures on these voyages, thousands had been thrown overboard

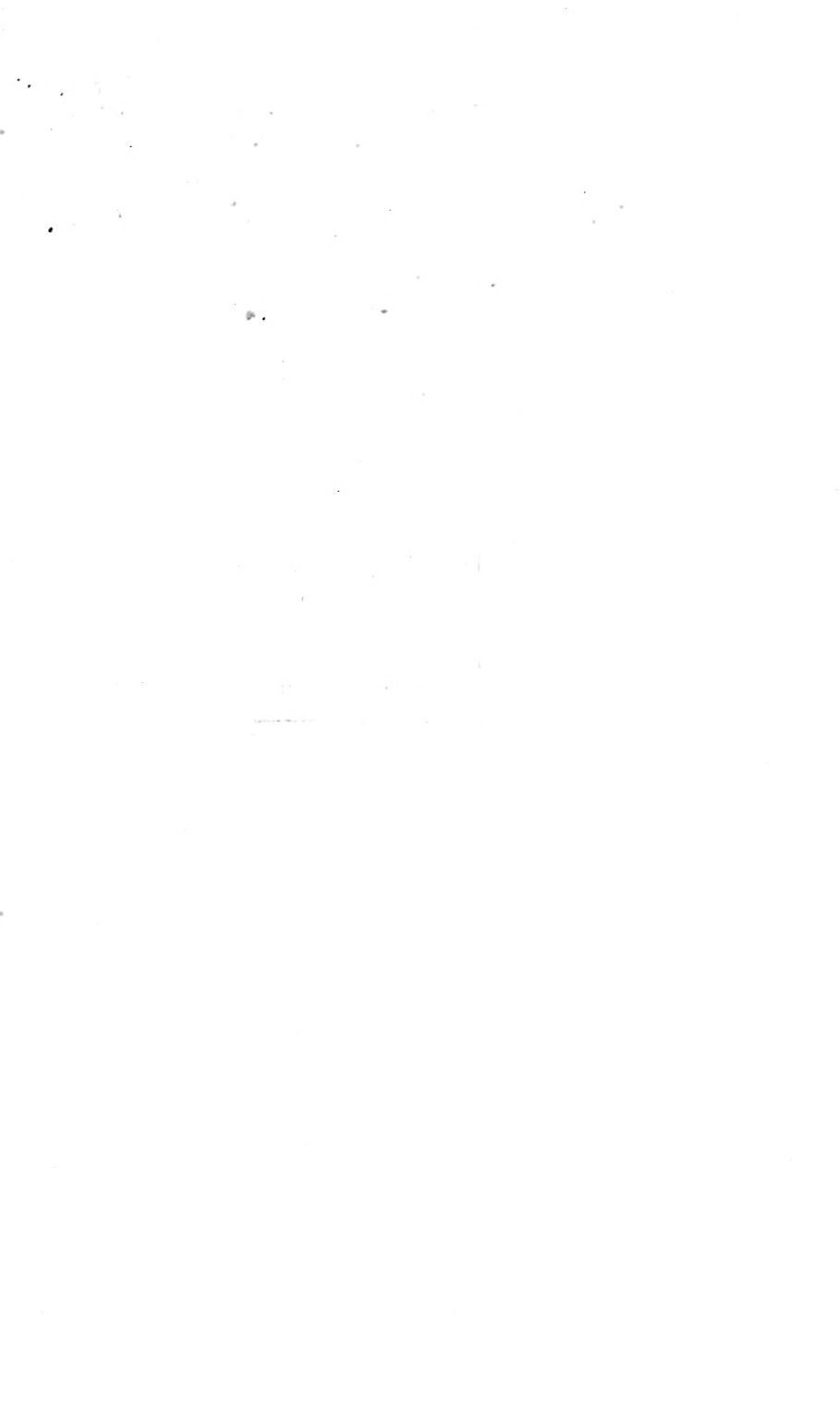
or suffocated in the holds of these slave ships, but not a person engaged in that awful business had been punished in the United States, until Andrews convicted Captain Gordon.

In 1901 Judge Andrews told the writer that the family in which he tutored while in Louisiana, were the owners of slaves, and he frequently went to their quarters to study their conditions and the slave question, and at that time was laid in his heart and in his mind the great incentive that moved him to his work which convicted Captain Gordon.

The foregoing was written by Mr. John H. Judge of the New York Bar, who was associated with Justice Andrews from his early days and was read before the Association of the Bar of New York City, at its regular meeting on the twelfth day of May 1903, and adopted as its memorial of Judge Andrews.



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The portrait bust of Justice Andrews shown on the previous page is by the sculptor George T. Brewster of New York City, is in bronze cast by the Gorham Company, life size, and was presented by Justice Andrews' widow, Mrs. Catherine M. Andrews, to the City of New York.

It is placed in the County Court House, City Hall Park, in this City, in the Courtroom designated Trial Term Part IX of the Supreme Court, where Justice Andrews often presided at trials, and sat as one of the old General Term, hearing appeals.

The Art Commission of the City of New York officially approved and accepted it on behalf of the City, as have the Judges of the Appellate Division and the other branches of the Supreme Court.

A Replica has been accepted by the Bar Association and placed in its library.

The theme is: A lawyer has presented to

the Justice the legal paper which he holds and which he has finished reading, has raised his head and turned to the lawyer inquiring the object of the application.





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